IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. 06-

v. : DATE FILED: May 11, 2006

FRANCISCO ACOSTA, : VIOLATION:

a/k/a "Francisco Lopez," 8 U.S.C. § 1326(a), (b)(2) (illegal re-entry a/k/a "Juan Clavell" : after deportation and commission of an

aggravated felony - 1 count)

: 18 U.S.C. § 911 (false claim of United

States citizenship - 1 count)

:

:

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

On or about April 19, 2006, in the Eastern District of Pennsylvania and elsewhere, defendant

FRANCISCO ACOSTA, a/k/a "Francisco Lopez," a/k/a "Juan Clavell."

an alien and native and citizen of the Dominican Republic who had previously been deported from the United States on or about October 22, 2003, was found in the United States, having knowingly and unlawfully re-entered the United States without first applying to the United States Attorney General or his successor, the Secretary for Homeland Security, for permission to reapply for admission, and without receiving in response the express consent of the Attorney General or his successor to reapply for admission.

In violation of Title 8, United States Code, Section 1326(a), (b)(2).

COUNT TWO

THE GRAND JURY CHARGES THAT:

On or about April 19, 2006, in the Eastern District of Pennsylvania and elsewhere, defendant

FRANCISCO ACOSTA, a/k/a "Francisco Lopez," a/k/a "Juan Clavell,"

an alien and native and citizen of the Dominican Republic, falsely and wilfully claimed to be a United States citizen.

In violation of Title 18, United States Code, Section 911.

FOREPERSON

A TRUE BILL:

PATRICK L. MEEHAN United States Attorney